

## **REMARKS**

Very thanks for Examination's suggestion and thanks for finding some citations about the present invention, thereby, the applicant may know more information about the invention. This case has been carefully reviewed and analyzed in view of the office action. All details of the reference prior arts are fully considered and compared with the present invention.

## **ABOUT CLAIM REJECTION OF 35USC103**

Indeed the citations disclose some features of the present invention, and the applicant agrees with these viewpoints, however applicant discovers that some main features of the present invention are not disclosed in the citation which can form the novelty and inventive step of the present invention.

To illustrate the novelty of the present invention and overcome the objection from the citations, the applicant decides to cancel Claims 1 to 8, without prejudice or disclaimer of the subject matter thereof, and add new claims 9 to 10. The added new claim 9 is based on the original claim and those illustrated in Fig. 4 of the present invention. New claim 10 is identical to the original claim 5, but now it is dependent to the new claim 9. The relation of the new claims with respect to the original claims are shown in the following.

## **CLAIMS SHOW CHANGES AND NUMERALS FOR DISCUSSING IN THE REMARK**

Claim 9. (New) ~~4-~~ A pen comprising:  
a housing 30 including a front opening formed therein, and an ink reservoir 10 including:

a cartridge 11 received in said housing 30, and provided for receiving ink therein,

a peripheral swelling 21 having an outer diameter approximately equal to an inner diameter of the cartridge 11 so that in assembly state, the peripheral swelling 21 is engaged to an inner side of the cartridge 11;

at least one sealing ring 23 enclosing the peripheral swelling 21 to prevent ink from flowing out through a gap defined between the peripheral swelling and the cartridge;

a peripheral rib 22 extended radially and outwardly from the peripheral swelling to engage with said cartridge 11 and to limit an engagement of said peripheral swelling 21 relative to the cartridge 11, and to prevent said peripheral swelling 21 from being over engaged into said cartridge 11;

a barrel 20 having an outer diameter approximately equal to an inner diameter of the peripheral swelling 21 so that in assembly state, the barrel 20 is engaged to an inner side of the peripheral swelling 21;

a tube 24 having an outer diameter approximately equal to an inner diameter of the barrel 20 so that in assembly state, the tube 20 is engaged to an inner side of the barrel 20;

a nib 27 having a reduced rear end; an outer diameter of the reduced inner side of the nib 27 being approximately equal to an inner diameter of the tube 24 so that in assembly state, a rear side of the nib 27 is engaged to an inner side of the tube 24. ~~attached to said barrel 20, for extending out through said front opening of said housing 30.~~

~~2. The pen as claimed in claim 1, wherein said barrel 20 includes a peripheral swelling 21 extended radially and outwardly therefrom,~~

~~and having an outer diameter equals to an inner diameter of said cartridge 11, to allow said peripheral swelling 21 of said barrel 20 to be engaged into said cartridge 11.—~~

~~3. The pen as claimed in claim 2, wherein said barrel 20 includes a peripheral rib 22 extended radially and outwardly from said peripheral swelling 21, to engage with said cartridge 11, and to limit an engagement of said barrel 20 relative to said cartridge 11, and to prevent said barrel 20 from being over engaged into said cartridge 11.—~~

~~4. The pen as claimed in claim 2, wherein said barrel 20 includes at least one sealing ring 23 provided thereon and engaged between said peripheral swelling 21 of said barrel 20 and said cartridge 11, to prevent ink from flowing out through a gap defined between said peripheral swelling of said barrel and said cartridge.—~~

Claim 10. (New) ~~5.~~ The pen as claimed in claim 9 ~~4~~ further comprising a spring member 28 engaged between said housing and said barrel, to apply a spring biasing force against said barrel of said ink reservoir.

~~6. The pen as claimed in claim 5, wherein said barrel includes a peripheral rib 22 extended radially and outwardly therefrom, to engage with said spring member 28.—~~

~~7. The pen as claimed in claim 1, wherein said barrel includes a tube 24 extended therefrom and having an inner diameter arranged to receive said nib therein.—~~

~~8. The pen as claimed in claim 7, wherein said tube 24 includes an outer diameter smaller than that of said barrel, to form a peripheral shoulder between said tube and said barrel.—~~

## DISCUSSION ABOUT THE NOVELTY THE PRESENT INVENTION

In the new claims 9 and 10, we have redefine the structure as those illustrated in Fig. 4 of the specification of the present invention, in that

A sequence of the element is listed, that is;

A cartridge 11;

A peripheral swelling 21 is enclosed by the sealing ring 23 and rib 22;

A barrel 20;

A tube 24;

A nib 27;

A spring 28;

A spring member 28 engaged between said housing and said barrel 20;

The inner diameter of the cartridge 11 is approximately equal to outer diameter of the swelling 21;

The inner diameter of the swelling 21 is approximately equal to outer diameter of the barrel 20;

The inner diameter of the barrel 20 is approximately equal to outer diameter of the tube 24;

The inner diameter of the tube 24 is approximately equal to outer diameter of the nib 27;

The swelling 21 is assembled into the cartridge 11;

The barrel 20 is assembled into the swelling 21;

The tube 24 is assembled into the barrel 20;

The nib 27 is assembled into the tube 24;

The present invention has five tubular elements, which are the cartridge 11, swelling 21, barrel 20, tube 24 and nib 27.

The Fig. 1 of citation USP5,336,009, has only four elements. It is illustrated in Fig. 1 of the citation, the swelling and barrel are integrated as one element and have the same diameters. They cannot be viewed as two independent elements (such as the swelling 21 and the barrel 20). Moreover the citation '009 has no spring element.

For another citation USP5,929,135, the cartridge 17, barrel 2, nib 12, tube 3, swelling 5 has no above mentioned structure as the present invention. The sizes and assembly of the cartridge 17, barrel 2, nib 12, tube 3, swelling 5 in the citation '135 is very different from the present invention.

However the present invention provides a firm and steady structure to the pen. Thereby the installation of the ring and rib have the advantages of drainage proof and fixed the elements. Moreover, advantages of the design of the present invention is that general the front end of cover of a pen has a reduced tapered shape, and thus the structure of the present invention can match the design of the house and also provides a stable and firm structure to the pen.

## **RESULT**

Since in above discussion, it is apparent that no prior art has the features of the present invention, especially in new claim 9. Furthermore, as we know that no other prior art has features of the present invention. Thus, the present invention is novel and inventive.

**If there is any error in the specification, or claims, applicant**

**requests and authorizes Examiner to amend the claims, specification and drawings of the present invention so that they can match the requirement of U. S. Patent. Attentions of Examiner to this matter are greatly appreciated.**

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectively requested.

Respectfully submitted.

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